

HOUSE BILL No. 1060

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-32-9-11; IC 25-37.5-1-7; IC 35-52-25-61.5.

Synopsis: Valuable metal dealers. Makes it a Class C misdemeanor instead of a Class A infraction for a valuable metal dealer to knowingly or intentionally fail to comply with the law concerning regulation of valuable metal dealers. Makes it a Class C misdemeanor instead of a Class A infraction for a person to knowingly or intentionally sell or attempt to sell valuable metal to a valuable metal dealer that fails to comply with the law concerning regulation of valuable metal dealers. Requires the secretary of state to revoke a person's license issued under the law concerning licensing of vehicle salvaging if the person has at least three criminal convictions for violating the law concerning valuable metal dealers.

Effective: July 1, 2015.

Gutwein

January 6, 2015, read first time and referred to Committee on Courts and Criminal Code.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1060

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-32-9-11, AS ADDED BY P.L.92-2013,
2 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 11. **(a)** If the secretary receives a written
4 complaint from a local zoning body that a disposal facility or
5 automotive salvage rebuilder, subject to this chapter, is operating in
6 violation of a local zoning ordinance, the secretary shall delay the
7 issuance or renewal of the facility's or rebuilder's license under this
8 chapter until the local zoning complaints have been satisfied.
9 **(b) If:**
10 **(1) a licensee has at least three (3) criminal convictions under**
11 **IC 25-37.5-1-7(a) for violating the law concerning valuable**
12 **metal dealers; and**
13 **(2) the court recommends revocation of the licensee's license**
14 **issued under this chapter as provided in IC 25-37.5-1-7(c);**
15 **the secretary shall revoke the licensee's license.**



1 SECTION 2. IC 25-37.5-1-7, AS AMENDED BY P.L.224-2013,
 2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 7. (a) A valuable metal dealer who **knowingly or**
 4 **intentionally** fails to comply with this chapter commits a ~~Class A~~
 5 ~~infraction~~. **Class C misdemeanor.**

6 (b) A person that **knowingly or intentionally** sells or attempts to
 7 sell valuable metal to a valuable metal dealer that fails to comply with
 8 this chapter commits a ~~Class A infraction~~. **Class C misdemeanor.**

9 (c) **In addition to a criminal penalty imposed for a violation of**
 10 **subsection (a), if the court finds that:**

11 (1) **a person has at least three (3) criminal convictions for**
 12 **violating subsection (a); and**

13 (2) **the person possesses a valid license issued by the secretary**
 14 **of state under IC 9-32-9 concerning licensing of vehicle**
 15 **salvaging;**

16 **the court shall recommend the revocation of the person's license**
 17 **issued under IC 9-32-9.**

18 SECTION 3. IC 35-52-25-61.5 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2015]: **Sec. 61.5. IC 25-37.5-1-7 defines a**
 21 **crime concerning valuable metal dealers.**

